IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

TUESDAY, THE 7TH AUGUST 2007 / 16TH SRAVANA 1929

Bail Appl..No. 4754 of 2007()

(CRIME NO.245/2007 OF NADAPURAM POLICE STATION)

PETITIONER/ACCUSED:

ABDUL LATHEEF, AGED 48 YEARS,
S/O. ABUBACKER, NADI NAGAR,
CHAKKUMKADAVU,P.O. KALLAI, CALICUT.

BY ADV. SRI.SUNNY MATHEW

RESPONDENT: COMPLAINANT:

STATE OF KERALA THROUGH THE
SUB INSPECTOR OF POLICE,
NADAPURAM POLICE STATION,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.

BY PUBLIC PROSECUTOR SRI. S.U.NAZER

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 07/08/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

R.BASANT, J.

B.A.No.4754 of 2007

Dated this the 7th day of August 2007

O R D E R

Application for regular bail. The petitioner is the third accused. The crux of the allegations is that the petitioner had received stolen property from accused 1 and 2 who allegedly had committed theft of gold ornaments. The petitioner was arrested on 16/7/2007. He continues in custody from that date. The recovery of gold ornaments has already been effected.

2. The learned counsel for the petitioner submits that the petitioner is innocent. It is prayed that the petitioner may now be enlarged on bail. The petitioner has been arrayed as an accused only because he had not voluntarily handed over the ornaments to the police which were allegedly handed over by the principal accused to him, submits counsel.

3. The learned Public Prosecutor opposes the application. The petitioner is involved in other similar crimes also, points out the learned Public Prosecutor. The investigating officer may be granted some further time to complete the investigation in a serious crime like this, submits the learned

Public Prosecutor. I am satisfied in the circumstances referred to above that regular bail can be granted to the petitioner subject to appropriate conditions. Reasonable further time can be granted to the investigating officer to complete the investigation.

3. In the result, this petition is allowed. The petitioner shall be released on bail on the following terms and conditions:

i) The petitioner shall not be released on bail on the strength of this order prior to 16/08/2007. The investigating officer shall, in the meantime, make every endeavour to complete the investigation.

ii) He shall execute a bond for Rs.1,00,000/- (Rupees one lakh only) with two solvent sureties each for the like sum to the satisfaction of the learned Magistrate.

iii) The petitioner shall make himself available for interrogation before the investigating officer between 10 a.m and 12 noon on all Mondays and Fridays for a period of forty five days from the date of his release and thereafter as and when directed by the investigating officer in writing to do so.

(R.BASANT, JUDGE)

jsr

// True Copy// PA to Judge

R.BASANT, J.

CRL.M.CNo.

ORDER

21ST DAY OF MAY2007